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Progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire

I. Introduction

1. By its resolution 1933 (2010), the Security Council extended the mandate of the United Nations Operation in Côte d'Ivoire (UNOCI) until 31 December 2010, and requested me to report on the publication of the final voters list in Côte d'Ivoire by providing a midterm report no later than 22 October 2010. The present report focuses on developments related to the establishment of the final voters list and its certification by my Special Representative that have occurred since my twenty-fourth report on the United Nations Operation in Côte d'Ivoire (S/2010/245) of 20 May 2010.

II. Establishment of the final voters list

2. In my last report, I noted that the electoral process was abruptly interrupted in January of this year following reports of the existence of a parallel voters list of 429,000 persons prepared by the former President of the Independent Electoral Commission, which prompted allegations of fraud. Prior to that, the voter registration and identification operations which were completed in November 2009, had yielded a provisional voters list of 5,277,392 persons confirmed by the technical operators (commonly referred to as "the white list"). In addition, there was a list of 1,003,985 persons who remained to be confirmed (commonly referred to as "the grey list"). The President, Laurent Gbagbo, and the Prime Minister, Guillaume Soro, agreed that the latter would continue to consult all stakeholders to find ways to resolve the impasse on the voters list. The electoral process remained stalled as protracted discussions ensued among the Ivorian protagonists and relevant institutions on how to address the allegation of fraud and how to resume the interrupted appeals process on the provisional voters list.

Appeals process

3. Efforts led by the Prime Minister to break the impasse on the voters list resulted in an agreement by the Ivorian parties on 26 April to resume the electoral process and to proceed with the appeals process on the "grey list" on 17 May. As indicated in my last report, the voter registration and identification operations had

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yielded a provisional voters list of some 5.3 million persons. Meanwhile, during the course of May, President Gbagbo held direct discussions with the former President, Henri Konan Bédié, who is also President of the Parti démocratique de Côte d'Ivoire, and the former Prime Minister Alassane Dramane Ouattara, who is also President of the Rassemblement des républicains, which resulted in a decision to call off the nationwide demonstrations earlier planned by the opposition alliance Rassemblement des houphouëtistes pour la démocratie et la paix to protest against the interruption of the electoral process.

4. The appeals process, which was conducted by appeals committees established at the 415 local electoral commissions and comprising members of the national identification and voter registration structures, including the National Identification Office, the National Statistics Institute and the National Commission on the Supervision of Identification, was completed on 15 June. The process determined that a total of 496,738 persons on the "grey list" were eligible for inclusion on the final voters list. The Independent Electoral Commission subsequently added the names of these confirmed persons to the "white list", which consequently increased from 5,277,392 to 5,775,184 voters.

5. The expanded "white list" of 5,775,184 voters was subsequently subjected to another appeals process, which commenced on 20 July, following the public display of the "white list" at the 415 local electoral commissions by the Independent Electoral Commission with UNOCI support. The turnout remained low throughout the process, which ended between 4 and 8 August. The local electoral commissions received a total of 68,751 petitions, of which 30,293 requested the removal of individuals from the list on the ground that they had been registered fraudulently. Court hearings on these cases commenced on 9 August throughout the country.

6. Allegations that some members of the Front populaire ivoirien (FPI) had submitted requests to remove large numbers of persons from the list led to protests in some localities. In Divo, Man and San-Pédro, the court hearings were interrupted following clashes between members of the ruling FPI party and opposition youth groups. Disputes over procedures also led to the suspension of court hearings in some localities. According to the relevant legislation, all petitions had to be reviewed by the local electoral commissions before they were examined by the courts. Some judges, however, adjudicated cases that they had received directly from complainants. The Independent Electoral Commission determined that petitions not submitted or processed within the established procedures could not be taken into account.

7. The appeals process and court hearings ended on 26 August, although some court hearings in Man and Sassandra continued until 31 August. On 28 August, the Facilitator of the Ivorian peace process, President Blaise Compaoré of Burkina Faso, issued a statement welcoming the end of the appeals process.

Verification process

8. In parallel to the appeals and court hearings process, and in response to concerns of fraud voiced earlier by the ruling party, the Ivorian parties agreed, on 7 June, to verify the identity of 1,792,356 persons on the "white list", whose identity had initially been confirmed through records attesting to their ancestry. That

process, led by the Office of the Prime Minister, commenced on 21 June and comprised an electronic verification phase as well as a manual verification phase.

9. Only a small number of cases were verified during the electronic phase. On 2 July, the process stalled over divergent views with regard to the number of people to be verified during the second phase and the modus operandi for the manual verification. Following an agreement by the parties on the procedures, the manual phase of the verification process was conducted from 20 July to 2 August.

10. The verification process was discussed with UNOCI and the technical operators on 2 September, and the Prime Minister consulted the Ivorian stakeholders on the outcome. Following a meeting between President Gbagbo, Prime Minister Soro and the opposition leaders, Messrs. Bédié and Ouattara, on 6 September, the Prime Minister announced that some 55,000 persons would be temporarily removed from the provisional voters list as a result of the verification process. That number comprised individuals for whom no civil registry records could be found, as well as persons for whom information on the voter registration form did not correspond to the data in the civil registry. It was also agreed that those cases would be resolved after the elections.

Electoral timeline

11. On 5 August, following discussions by the Council of Ministers and based on a proposal by the Independent Electoral Commission, Prime Minister Soro announced that the first round of the presidential elections would be held on 31 October 2010. A presidential decree to that effect was signed on the same day. On 25 August, the President of the Independent Electoral Commission published the following electoral timeline: on 30 September, the final voters list would be published electronically; voters cards would be distributed from 10 to 23 October; and the electoral campaign would be conducted from 16 to 30 October. The Electoral Commission also indicated that the provisional results of the first round would be announced by the Electoral Commission on 3 November, followed on 10 November by the confirmation of the final results of the first round of the presidential elections by the Constitutional Council. The timeline published by the Electoral Commission also envisages a possible second round of the presidential elections on 28 November 2010.

Establishment of the final voters list

12. Shortly after their meeting of 6 September, referred to in paragraph 10 above, Prime Minister Soro announced, in the presence of President Gbagbo, former President Bédié and former Prime Minister Ouattara, that an agreement had been reached by all parties on the final voters list. He further stated that the list would be established by the Independent Electoral Commission shortly and that President Gbagbo would sign the relevant presidential decrees.

13. President Gbagbo signed a presidential decree, on 9 September, authorizing the issuance of national identity cards to the 5,725,720 Ivorians on the final voters list. The private technical operator, Sagem, submitted the electronic version of the final voters list to the Office of the Prime Minister on 11 September, and the list was handed over to the Independent Electoral Commission on the same day.

14. On 21 September, the seventh meeting of the Permanent Consultative Framework was held in Ouagadougou, under the auspices of the Facilitator, President Compaoré. President Gbagbo, Prime Minister Soro and the opposition party leaders, Messrs. Bédié and Ouattara, attended the meeting. In a communiqué issued after the meeting, the members of the Permanent Consultative Framework welcomed the validation by the Independent Electoral Commission of the final voters list, and the signing by President Gbagbo of a decree authorizing the distribution of national identity cards to the 5,725,720 persons on the final voters list. The Permanent Consultative Framework also stated that the 55,000 persons, whose identity could not be verified owing to technical reasons, should be given the opportunity to submit their cases to an ad hoc technical body that would be established after the elections. Furthermore, the members of the Permanent Consultative Framework called upon stakeholders to complete the remaining tasks in the electoral process with a view to holding free and fair elections on 31 October, and agreed to convene a meeting thereafter to take stock of progress made in the Ivorian peace process.

15. Issues related to the reunification of Côte d'Ivoire were also examined by the members of the Permanent Consultative Framework during their meeting on 21 September in Ouagadougou. The Permanent Consultative Framework noted with satisfaction the progress made with regard to the reunification of the country, including the operations to canton the 5,000 Forces nouvelles elements earmarked to join the new army in Korhogo, Séguéla, Bouaké and Man. They also commended progress made in restoring State authority, including the deployment of customs officers to Pogo, Ouangolodougou, Ferkéssédougou, Korhogo, Bouaké and Man, and urged the Ivorian parties to complete the tasks envisaged in the fourth supplementary agreement to the Ouagadougou Political Agreement. Previously, on 28 August, the Facilitator had noted with satisfaction the ongoing efforts to implement the remaining tasks envisaged in the fourth supplementary agreement to the Ouagadougou Political Agreement.

III. Certification of the final voters list

16. In keeping with paragraph 11 of Security Council resolution 1826 (2008), on 24 September, my Special Representative certified the final voters list. The certification was based on his "five-criteria framework for certification", which was referred to in paragraph 32 of my sixteenth progress report on UNOCI (S/2008/250). The framework defines broad benchmarks that enable my Special Representative to assess whether: (a) a secure environment exists during the period leading to the elections and allows for the full participation of the population and the candidates in the process; (b) the electoral process is inclusive; (c) all candidates have equitable access to the State-controlled media and whether the latter remains neutral; (d) the voters list is credible and accepted by all parties; and (e) the results of the elections are determined through a transparent counting process and are accepted by all or challenged peacefully through the appropriate channels.

17. The certification of the final voters list focused on six major steps that have spanned more than five years, including the mobile courts operations, the reconstitution of the civil status registries, the identification of the population, the voter registration process, the establishment of the provisional voters list, and the appeals process. At the successful conclusion of each of those steps, my Special

Representative had certified each step "implicitly" through a press conference in which he positively evaluated the work accomplished.

18. Throughout the process leading to the establishment of the final voters list, my Special Representative closely monitored consultations among the parties, examined and analysed the procedures agreed upon, closely followed the implementation of those procedures, and gave priority to consultation and dialogue with all the national institutions, civil society and stakeholders responsible for managing the electoral process, including political actors, and international partners. The formal certification of the final voters list was based on consultations with those stakeholders.

19. My Special Representative measured progress against two key indicators: peace and inclusiveness. After a thorough analysis and evaluation of the final voters list, he arrived at the conclusion that this list is solid, balanced and credible. He assessed that, despite multiple challenges and delays, the electoral process, so far, has been conducted in an atmosphere that could be qualified as peaceful and stable and the procedures adopted and implemented throughout the process gave voters ample opportunity to register to vote. He also pointed out in his statement on 24 September that his certification role has been facilitated by the Ivorian stakeholders throughout the process. Their consensual way of decision-making, although often protracted, was instrumental in ensuring a peaceful environment for the electoral process as well as inclusiveness.

20. In a statement issued the same day, I welcomed the significant progress in the electoral process and congratulated the Ivorian political leaders and the Facilitator on this important achievement. On 28 September, my Special Representative briefed the Security Council on progress made in the electoral process, notably the final voters list and his certification of it.

21. Following the establishment of the final voters list and its certification on 24 September, the Independent Electoral Commission, together with UNOCI, developed a plan to address the remaining tasks leading to the elections, including the distribution of 11,658,719 identity and voters cards; the establishment of the electoral map of 10,179 polling sites and 20,073 polling stations; the identification, recruitment and training of 66,000 polling staff; the coordination of electoral observers; the transportation of the electoral material; the establishment of a results tally centre; and the provision of security for the elections. On 27 September, the Independent Electoral Commission indicated that both identity and voters cards would be ready for distribution starting on 7 October. The technical operators presented the identity and voters cards to the Prime Minister on 1 October.

IV. Security for the electoral process

22. The limited capacity of the Integrated Command Centre (ICC), which is responsible for providing security during the elections, remains an issue of concern. As indicated in my previous report, the Ivorian security forces continue to be unable to deploy the full complement of the agreed 8,000 personnel as mixed units of ICC, which also lacks the capacity and means to effectively provide a secure environment for the elections. Given the lack of capacity of ICC, it will be necessary to rely on all available forces in Côte d'Ivoire to provide security for the elections.

23. The United Nations Operation in Côte d'Ivoire will continue to assist the Ivorian authorities in maintaining a secure environment for the completion of the peace process, in particular during the sensitive electoral process. In line with my earlier recommendation that UNOCI be reinforced for a limited period before, during and after the elections, I requested the Security Council, in a letter dated 14 September (S/2010/485), to authorize the temporary deployment of up to 500 additional troops and police by increasing the operational elements of existing formed police units, and two additional infantry companies to reinforce arrangements to secure elections in Côte d'Ivoire, for a period up to six months. I am grateful for the Security Council's approval of my recommendations as conveyed in the letter of the Security Council President dated 17 September (S/2010/486) and in resolution 1942 (2010). The total of 500 additional personnel was fully deployed on 18 October.

V. Observations

24. The establishment of the final voters list is a major breakthrough in the Ivorian peace process. It not only makes the holding of the elections possible, but it will also allow millions of Ivorians to receive identity cards, thus addressing the identification issue, which has been at the centre of the Ivorian crisis. I would like to congratulate the Ivorian political leaders and the Facilitator on this important achievement and commend the Ivorian people for their patience.

25. It is now essential for the parties and national institutions to ensure that this time elections take place as scheduled. While the challenges in completing the technical processes ahead are not to be underestimated, I am convinced that they can be overcome through the proactive engagement of the responsible Ivorian stakeholders with the support of UNOCI, the United Nations system and the international community. I therefore call upon the parties, as well as national institutions, to maintain the momentum and complete the remaining tasks in a timely manner in order to meet the election date.

26. The positive and calm political and security climate engendered by the Ouagadougou Political Agreement and the spirit of compromise and consensus that has brought Côte d'Ivoire thus far are encouraging and bode well for the elections. I therefore urge again the political parties and candidates to strictly adhere to the Code of Conduct for elections, which they signed on 24 April 2008 in Abidjan under my auspices. As has been the case to date, my Special Representative will continue to closely follow developments and fully consult with the key stakeholders in order to fulfil his certification mandate throughout the electoral process. His certification mandate remains an important safeguard.

27. I am concerned by the reports that militia groups and elements are threatening to disrupt the electoral process. UNOCI will work with all parties and the Ivorian national security and law and order institutions to put in place the necessary security arrangements and prevent spoilers from undermining the elections. A lot has been achieved so far, and all stakeholders should work cooperatively to ensure that the elections build upon the progress made and contribute to establishing lasting peace in Côte d'Ivoire.

28. I would like to commend the Facilitator of the Ivorian peace process, President Compaoré of Burkina Faso, for his tireless facilitation efforts and the Ivorian parties

for their consensual way of taking decisions all along the peace process. The Facilitator's continuous engagement and the sustained spirit of dialogue and compromise among the Ivorian parties, will be critical to ensure that elections in Côte d'Ivoire will consolidate peace and democracy and do not become a source of instability.

29. I am pleased to note that the members of the Permanent Consultative Framework agreed that the cases of those 55,000 persons, who have not been included on the voters list for technical reasons, will be reviewed after the elections. I fully share the view of the members of the Permanent Consultative Framework that further efforts will be needed to address outstanding tasks with regard to the reunification of the country. This is an ongoing process that will continue to be addressed by the newly elected Government. I also welcome the initiative to convene a meeting after the elections to take stock of progress made in that regard.

30. My next regular report, which will be issued in November, will provide a detailed assessment of the first round of the Presidential elections and issues regarding the next steps in Côte d'Ivoire, including arrangements for determining the future direction of UNOCI.

31. While it is both difficult and undesirable to foreshadow the outcome of any electoral process, as a prudent exercise, the United Nations and the international community must be prepared to deal with possible challenges arising after the first round, as also for the need of a second round of voting. I call upon the political leaders and the Ivorian people to respect the results of the elections, and to resolve any electoral grievances through the appropriate channels. The United Nations, the Facilitator and the international community stand ready to assist the parties in addressing any issues that may arise throughout the electoral process with a view towards a successful conclusion of the peace process.

32. In conclusion, I would like to congratulate my Special Representative for Côte d'Ivoire and the women and men of UNOCI for their untiring efforts and continued commitment to supporting the peace process. Finally, I thank all troop- and police-contributing countries, the Economic Community of West African States, the African Union, United Nations system agencies, funds and programmes, humanitarian organizations and multilateral and bilateral donors, as well as international and local non-governmental organizations, for their important contributions to the return of peace and stability in Côte d'Ivoire, and their unwavering commitment.